

March 12, 1990

LB 890  
LR 239

Commission has the authority to do this now or we have refused to give them authority. I will remind you that under one of the other provisions of the current Constitution, which also is retained in this proposed amendment, which is the Regents v. Exon case, if you look at an Attorney General's Opinion that came down on LB 890 in which they were specifically asked whether or not the Coordinating Commission would be given a series of powers in the areas of nursing, and that Attorney General's Opinion very specifically states that the Coordinating Commission, because of that Regents v. Exon case, could not constitutionally be delegated any kind of authority over the current Board of Regents or, for that matter, the board of trustees because of those limitations. And so with the constitutional amendment, we will, in fact, and it, in fact, is the only way in which you can...that is the only way you can provide any coordination between systems or between institutions, compared to what we have now, is through a constitutional amendment giving it to the Board of Regents as proposed here. Otherwise, you would have to give it to the Coordinating Commission. As it is composed now, you could do that by constitutional amendment...

PRESIDENT: One minute.

SENATOR WARNER: ...but it would seem to me a far less desirable approach than what is proposed. So I would urge the body to reject the proposal and continue the concept of governance by institutions and recognizing the cooperative and coordinative efforts will be a responsibility, both constitutional and, in fact, of the new Board of Regents in those instances where institutions should be working together.

PRESIDENT: Thank you. Senator Crosby, you're next, but may I take just a moment to introduce our doctor of the day from Senator Wesely's district. We have Dr. Denise Sammons. Would you please stand, doctor, so we may recognize you and thank you. We do appreciate your services for the day. Senator Crosby, please, followed by Senator Wesely.

SENATOR CROSBY: Thank you, Mr. President, and members, again, I just simply want to emphasize the fact that what I'm talking about is research. I think all these programs that have begun to reach out from the Medical Center and from the University of Nebraska here, to Chadron and other...the Scottsbluff Center for Learning, and so on, that's wonderful, but I'm talking about